

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In Re SMERLING LITIGATION

Civil Case No. 1:21-cv-02552-JPC

**Notice and Order for Withdrawal of Counsel**

PLEASE TAKE NOTICE that, upon the annexed declaration of Allan J. Arffa, and subject to the approval of the Court, Allan J. Arffa hereby withdraws as counsel for Plaintiff Silicon Valley Bank and shall be removed from the Case Management/Electronic Case Files (CM/ECF) notification list in the above-captioned action. Paul, Weiss, Rifkind, Wharton & Garrison LLP will continue to represent Silicon Valley Bank in this proceeding.

DATED: New York, New York  
December 22, 2023

/s/ Allan J. Arffa  
Allan J. Arffa  
1285 Avenue of the Americas  
New York, New York 10019-6064  
Telephone: (212) 373-3000

SO ORDERED:



Hon. John P. Cronan  
United States District Judge

Date: December 28, 2023  
New York, New York

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In Re SMERLING LITIGATION

**Civil Case No. 1:21-cv-02552-JPC**

**DECLARATION OF ALLAN J. ARFFA**

Allan J. Arffa, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am an attorney at the law firm Paul, Weiss, Rifkind, Wharton & Garrison LLP (“Paul, Weiss”), counsel for Plaintiff Silicon Valley Bank in the above-captioned case. I submit this declaration in compliance with Local Rule 1.4 to notify the Court that I am withdrawing as counsel because I am leaving the employ of Paul, Weiss.
2. Paul, Weiss will continue to represent Silicon Valley Bank in this proceeding.
3. My withdrawal will not delay the matter or prejudice any party.
4. I am not retaining or charging a lien.

Executed on December 22, 2023  
New York, New York

/s/ Allan J. Arffa  
Allan J. Arffa

**CERTIFICATE OF SERVICE**

I, Allan J. Arffa, hereby certify that on December 22, 2023, I caused a true and correct copy of the foregoing to be served upon all parties to this litigation via the CM/ECF system, and on my client via email.

December 22, 2023  
New York, New York

/s/ Allan J. Arffa  
Allan J. Arffa